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Ironworkers Workers' Compensation Trust, California Field  
Ironworkers Administrative Trust, and California  
Field Ironworkers Labor Management Cooperative Trust*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

The Trustees of the California Ironworkers Field Pension Trust, California Ironworkers Field Welfare Trust, California and Vicinity Field Ironworkers Annuity Fund, California Field Ironworkers Vacation Trust Fund, California Field Ironworkers Apprenticeship Training and Journeyman Retraining Fund, Ironworkers Workers' Compensation Trust, California Field Ironworkers Administrative Trust, and California Field Ironworkers Labor Management Cooperative Trust,

**Plaintiffs,**

VS.

Freyssinet, Inc., a Delaware corporation; Western Surety Company, a South Dakota Company; M. A. Mortenson Company, a Minnesota corporation;

Case No.: 2:20-cv-01519-RFB-EJY

**STIPULATION AND ORDER TO**  
**EXTEND TIME FOR DEFENDANTS**  
**FREYSSINET, INC. AND WESTERN**  
**SURETY COMPANY TO RESPOND TO**  
**THE COMPLAINT**

**(FIRST REQUEST)**

1 McCarthy Building Companies, Inc., a  
2 Missouri corporation; Federal Insurance  
3 Company, an Illinois corporation; and  
4 Mortenson-McCarthy Las Vegas  
5 Stadium, a Joint Venture, a general  
6 partnership; Merchants Bonding  
7 Company, an Iowa Company; Travelers  
8 Casualty and Surety Company of  
9 America, a Connecticut surety; John Does  
I-XX, inclusive; and Roe Entities I-XX,  
inclusive,

10  
11 Defendants.

12 WHEREAS, Plaintiffs have served Defendants Freyssinet Inc. (“Freyssinet”)  
13 and Western Surety Company (“Western Surety”) with their Complaint;

14 WHEREAS, Freyssinet’s responsive pleading is due on December 6, 2020  
15 and Western Surety’s is due on October 25, 2020;

16 WHEREAS, Western Surety has tendered its defense to Freyssinet and  
17 Freyssinet is evaluating that tender;

18 WHEREAS, the parties are actively engaged in settlement discussions;

19 WHEREAS, Plaintiffs and Freyssinet have agreed that extending the due date  
20 for Freyssinet’s and Western Surety’s respective responsive pleadings will allow  
21 Freyssinet time to evaluate Western Surety’s tender and will allow the parties time  
22 to further engage in meaningful settlement discussions that could resolve the case or  
23 reduce the scope of the issues in dispute;

24 WHEREFORE, IT IS HEREBY STIPULATED by Plaintiffs and Freyssinet,  
25 by and through their undersigned counsel of record, that pursuant to LR IA 6.1, that  
26 Freyssinet and Western Surety shall have up to and including December 6, 2020  
27 within which to answer or otherwise respond to the Complaint.

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1 This is the first stipulation to extend time by which Freyssinet and Western Surety  
2 must respond to the complaint.

3 Dated this 23rd day of October, 2020.

4 CHRISTENSEN JAMES & MARTIN

COZEN O'CONNOR

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11 Attorneys for Defendant Freyssinet, Inc.

12 IT IS SO ORDERED:

13   
14 UNITED STATES MAGISTRATE JUDGE

15 Dated: October 26, 2020

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